

CITY OF GOSHEN



"THE MAPLE CITY"

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DOCKET FILE COPY ORIGINAL Docket 97-182

Board of Aviation Commissioners

111 E. Jefferson St., Suite 4
Goshen, Indiana 46526-3784

October 22, 1997

Office of the Secretary
Federal Communications Commission
Washington, DC 20554

Dear Mr. Secretary:

On behalf of the Goshen Board of Aviation Commissioners (BOAC) and the City of Goshen, we are strongly opposed to your rule making entitled *Preemption of State and Local Zoning and Land Use on the Sitting, Placement and Construction of Broadcast Transmission Facilities*.

The Goshen airport is a general aviation facility serving our city and county, and is documented to bring approximately 5.1 million dollars of economic development into our community. As we understand it, your rule would negate any authority that we, the Indiana Dept. of Transportation, or the FAA would have over the use of tall towers adjacent to our airports. An encroachment of a broadcast tower to our airport would be dangerous to our citizens and pilots. In some cases, a tower close to our facility would hamper or shut down aircraft operations, and would degrade the utility of our airport.

We understand the need to fast track the placement of broadcast towers, but not at the expense of our nation's airports. Please consider this when forming your proposed rule making.

Thank you for your consideration.

Sincerely,

David Morgan, Treasurer

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Docket 97-182

Perry County Airport Authority

HC 64 Box 103 • Tell City, IN 47586-9403
Telephone 812/836-2697

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FEDERAL BUREAU OF INVESTIGATION

October 23, 1997

Office of the Secretary
Federal Communications Commission
Washington, DC 20554

RE: Request for Comments
47 CFR Part 1

Dear Sir/Madame:

We are writing in opposition to the proposed rule making entitled *Preemption of State and Local Zoning and Land Use Restrictions on the Siting, Placement and Construction of Broadcast Transmission Facilities*. This proposed FCC rule will limit or even negate any authority that the Federal Aviation Administration, Indiana Department of Transportation-Aeronautics Section, and our local zoning boards will have over transmission tower placements. It is critical to the safety of our local airport facility and to the safety of the traveling public that there be "checks and balances" to assure that no new obstructions to our airport are developed. By accelerating the review process, unsafe decisions could be made by the FCC, which would mean a loss of utility at our airport!

As the operator of the Perry County, Indiana airport, we are very concerned that this proposed rule will severely limit our ability and the powers of the agencies that we work with to protect our airport from the encroachment of tall towers.

We oppose the proposed rule as it is now written. Recognizing that new technology is requiring the installation of new transmission facilities, we encourage you to find ways to allow the installation of these towers in harmony with the airport facilities that are also critical to our nation's economic health. Giving the FCC preemptive power over the state and local zoning would place the interests of DTV implementation ahead of the interest of existing aviation facilities.

Thank you for considering these views as you evaluate this proposed rule.

Sincerely,

Bradford L. Traphagen

Bradford L. Traphagen, President

10/27/97
LAW OFFICE

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Docket 97-182

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OCT 27 1997

FCC MAIL ROOM

RD 1, Box 1570
Marshfield
Vt. 05658
Oct.20, 1997

Gentlemen;

I would like to urge the FCC to recognize the voter's wishes; ie: zoning and regulations made at the local level-state level.

These have been set with criteria/concerns of the citizens of the State of Vermont. Therefor, why should these communications wireless providers be exempt from the process? This would be as unconstitutional as forcing a landowner to provide space for a tower against their will.

Furthermore, are any toers necessary? With today's technology I believe the cellular industry can use satellites to provide coverage to all areas.

I ask that you reconsider the Telecommunications Act of 1996 and limit it's authority.

Respectfully submitted,

Jerri L. Healey
Jerri L. Healey

cc: Sec., FCC
U.S. Congr. Sanders
U.S. Sen. Jeffords
U.S. Sen. Leahy

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Evansville Regional Airport
7801 Bussing Drive
Evansville, IN 47711-6799

Office: (812) 421-4401
Fax: (812) 421-4412

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Docket 97-182

OCT 27 1997

FCC MAIL ROOM

October 21, 1997

Office of the Secretary
Federal Communications Commission
Washington, DC 20554

Re: Request for Comments
47 CFR Part 1

Dear Sir/Madame:

We are writing in opposition to the proposed rule making entitled Preemption of State and Local Zoning and Land Use Restrictions on the Siting, Placement and Construction of Broadcast Transmission Facilities. This proposed FCC rule will limit or even negate any authority that the Federal Aviation Administration (FAA), Indiana Department of Transportation - Aeronautics Section, and our local zoning boards will have over transmission towers. It is critical to the safety of our airport facility that there be "checks and balances" to assure that no new obstructions to our airports are developed. By accelerating the review process, unsafe decisions could be made by the FCC, which would mean a loss of utility at our airport!

As the operator of an airport, we are very concerned that this proposed rule will severely limit our ability and the powers of the agencies that we work with to protect our airport from the encroachment of tall towers.

We oppose the proposed rule as it is now written. Recognizing that new technology is requiring the installation of new transmission facilities, we encourage you to find ways to allow the installation of these towers in harmony with the airport facilities that are also critical to our nation's economic health. Giving the FCC preemptive power over state and local zoning would place the interests of DTV implementation ahead of the interests of existing aviation facilities.

Thank you for considering these views as you evaluate this proposed rule.

Sincerely,

EVANSVILLE-VANDERBURGH AIRPORT AUTHORITY DISTRICT

Jeff Mulder, A.A.E.
Assistant Airport Manager

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